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Honorable Benjamin H. Settle

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10 UNITED STATES DISTRICT COURT
11 FOR THE WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 MALONI SEYFARTH; and all others similarly
situated,

14 Plaintiff(s),

15 v.

16 REESE LAW GROUP, P.L.C.; FORD
17 MOTOR CREDIT COMPANY, LLC;
HARLAN M. REESE and JANE DOE
REESE, husband and wife,

18 Defendant(s).

NO. C09 5727 BHS

STIPULATED MOTION FOR
CONTINUANCE OF FAIRNESS HEARING
AND RELATED DATES

19
20 **STIPULATION**

21 The parties to this case, by and through the undersigned attorneys of record, make the
22 following stipulation and agreement pursuant to Local CR 10(g) to modify certain deadlines in
23 the Order of Preliminary Approval of Class Settlement (document no. 56, 9/3/13, "Preliminary
24 Approval Order") as detailed below for the following reasons.

25
**STIPULATED MOTION FOR CONTINUANCE OF
FAIRNESS HEARING AND RELATED DATES - 1**
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1 This stipulation asks the Court to set a new date for the hearing to give final approval to
2 the Class Settlement, presently set for December 9, 2013. Pursuant to Local CR 10(g), the
3 following explanation is in order. The extension of the deadlines is necessary to ensure the best
4 practicable notice to the class members and opportunity to be heard.

5 Under section 13 of the Preliminary Approval Order the Reese defendants were obliged
6 to provide counsel for the parties and the Class Administrator with the names and addresses of
7 the class members. The Reese Defendants did provide the list of all class members to class
8 counsel, but the class counsel and counsel for Reese defendants have not been able to
9 complete an analysis of which of the class members should be included in either of the two sub-
10 classes spelled out in the preliminary approval order at section 1 (and all of its sub-paragraphs
11 and parts).

12 This determination requires calculation of judgment amounts and analysis of the
13 payment history of over 200 class members, eliminating challenged attorney fees and costs,
14 and re-calculating the amounts owed. It also involves application of the exceptions to the sub-
15 class membership set forth in that first section of the agreement.

- 16
- 17 • The class counsel and counsel for Reese Defendants have conferred and
18 stipulate that the final calculations analysis and **agreement as to the**
19 **membership of the sub-classes from the class members identified can be**
20 **done by or before December 16, 2013.**
 - 21 • Within seven (7) days of that date, **on or before December 23, 2013, the Reese**
22 **defendants shall pay to the Class Administrator the fees and costs as**
23 **required by section 12 (and section 14) of the Preliminary Approval Order. The**
24 **Class Administrator at that time will take the actions specified in section 12 of the**
25 **Preliminary Order.**

1 As a result of the re-setting of this deadline, other deadlines are affected. Under the
2 Preliminary Approval Order, notice was to be mailed within twenty-one (21) days of the receipt
3 of the class list by the Class Administrator.

- 4
- 5 • To account for the two short holiday weeks following the receipt by the Class
6 Administrator of the Class Lists, the parties stipulate that the **Notice shall be
7 mailed by the Class Administrator on or before January 17, 2013.**

8 Based on the foregoing deadlines, the parties have projected dates for class members'
9 responses to coincide with the time frames spelled out by the court in its Preliminary Approval
10 Order. Thus:

- 11
- 12 • The deadline for class members to opt out shall be on or before February
13 27, 2014.
 - 14 • Motions to intervene shall be filed on or before February 27, 2014.
 - 15 • Objections to the proposed settlement shall be filed with the Clerk on or
16 before February 27, 2014.
 - 17 • The final fairness hearing shall be conducted on March 17, 2013, in the
18 courtroom of Judge Settle. (2) 1:30 AM
2014

19 The foregoing changes are necessary to provide notice consistent with due process,
20 FRCP 23 and the best practicable notice to the class members under the circumstances.

21 Dated this 27th day of November, 2013:

22 PREG O'DONNELL & GILLET PLLC

23 By /s/ Earl Sutherland, VIA ECF
24 Earl Sutherland, WSBA #23928
25 Attorneys for Defendants Reese Law Group,
P.L.C. and Harlan M. Reese and Jane Doe
Reese

MICHAEL D. KINKLEY, P.S.

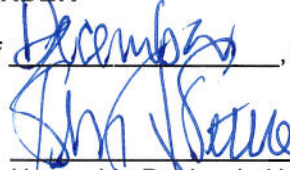
By /s/ Michael D. Kinkley, VIA ECF
Michael D. Kinkley, Esq., WSBA #11624
Attorneys for Plaintiff Maloni Seyfarth

MILLS MEYERS SWARTLING

By /s/ Stephania C. Denton, VIA ECF
Stephania C. Denton, Esq., WSBA #21920
Scott M. Ellerby, Esq., WSBA #16277
Attorneys for Defendant Motor Credit Company,
LLC

ORDER

IT IS SO ORDERED this 2 day of December, 2013.


Honorable Benjamin H. Settle
U.S. District Court, Western District Judge

Presented by:

PREG O'DONNELL & GILLET PLLC

By /s/ Earl Sutherland, VIA ECF
Earl Sutherland, WSBA #23928
Attorneys for Defendants Reese Law Group, P.L.C.
and Harlan M. Reese and Jane Doe Reese